

THE STATUS OF PART-TIME EVENING PROGRAMS?: INTRODUCTION

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PROFESSOR MENKEL-MEADOW: I am a full-time professor at Georgetown, but this is my second home. I've been living here off and on for years. I'm teaching here this semester. So it is a great pleasure to be with my Southwestern students and colleagues in our wonderful building here.

This panel, as my colleague Mitch Bailin was just saying to me, may seem more traditional because evening programs have been a long mainstay of legal education, indeed.

I don't know how many of you know this, but I am the outgoing Co-Editor-in-Chief of the *Journal of Legal Education*. I have recently handed over the editorship to my dear friend and colleague, Dean Garth. So I get to be involved with the *Journal of Legal Education* for another semester. But I have long been a student of legal education, and evening programs are, in fact, almost as old—in fact, they are as old—as legal education itself. Thomas Jefferson read for the law in an apprentice program, and the study of law was private, proprietary, and conducted twenty-four hours a day since the beginning of our nation's history. So the fact that there are evening programs in a lot of law schools should be no surprise. For much of legal education, part-time programs and evening programs have been the norm.

This panel is going to explore some of what is going on in evening education as it currently exists. My colleague, whom I will introduce in a moment, Dean Bailin, reminded me that I, like every member of the Georgetown faculty, have taught in the evening program. What you are about to hear is that I said, "I don't think that I had," because I don't actually ever remember teaching at night. But what I have done is teach for years now in another innovation, which the ABA finally permitted us to do

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by changing the accreditation standards—and that will be another issue for us to talk about all day long: how the ABA accreditation standards restrict some of the innovations that we want to use, such as medical schools' and business schools' use of short courses, conceptual courses, interactive courses, and cohort learning. I have done a lot of that in my teaching. Fortunately, the ABA now lets us.

Like some other members of the Georgetown faculty, I have been teaching short-form weekend courses that are now permitted, so that the evening students mix with day students in short intensive courses over a several day period. Our evening students at Georgetown mix quite well with the day students in these intensive weekend courses. Dean Bailin will say more about it, but we've pioneered those courses in areas that are best done in intensive settings—skills courses and courses with important, but less than a semester's worth of material.

My course is an advanced multiparty dispute resolution course, which focuses half on large domestic class actions, governmental-negotiated regulations sorts-of disputes, and half on international multiparty disputes. The students do simulations that are ten to fifteen hours of real-time negotiations—diplomatic, community, environmental, multiparty, and many-stakeholder negotiations. A course like that is not possible in a traditional two or three-hour-a-week course.

This is just to advertise evening education or part-time education a little, and to raise the questions, which I hope our panelists will talk about too, of how we can use these part-time and evening programs in more creative ways, and what some of the impediments are to our very arcane and elderly, and I would say, archaic accreditation scheme. For example, why have other professional fields—and the Carnegie report speaks to this, too—been much more flexible than legal education in understanding that there are many ways of learning and many kinds of optimal time periods for information acquisition and professional practice?

Finally, if the prior panel was about two-year or two-and-a-half year programs, the evening programs have generally been thought of as four-year programs; that is, being able to go to law school over an expanded period of time. Although, again, as I think Dean Bailin will talk about, our experience at Georgetown is that often people begin in the evening program and then they transfer to the day program, making a three-and-a-half year program possible too.

So we have three-and-a-half-year programs, as well as two-year programs, two-and-a-half-year programs, and four-year programs, and, of course, five-year programs, because at most ABA accredited schools you can begin, and as long as you finish within five years, it's still permissible.

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And that will be discussed by Panel Three, which is going to talk more about totally-flexible forms of legal education.

What is an optimal period for law study? As Harriet Rolnick stated, it may depend on the person. Some people do things very quickly and are very energetic, and could probably do well in law school in ten minutes—slight exaggeration, right? Some people, to the contrary, while they combine law study with other things might take longer. So I hope this panel will explore some of those issues.

My colleague, Dean Bailin, has suggested a very nice order for us. We are going to start with Mitchell Bailin, who is the dean of students at Georgetown and came to Georgetown with a wide array of experience. He graduated from Yale Law School and was a practitioner at Palmer & Dodge in Boston for some years, specializing in the representation of schools and colleges. Before that, he was administrator of the Harvard Summer Session. A very, very, talented and much beloved dean of students at Georgetown.

Georgetown is a huge institution. I don't know if Mitchell knows the figures, but the budget of Georgetown Law School is probably as big as many cities in the United States. Managing all the students there is difficult and he does it just beautifully. He will be representing here an established program that has been around for a long time.

Next will be former Associate Dean Timothy Hall of Louise D. Brandeis School of Law at the University of Louisville. He was an associate dean, but he just stepped down and is still a professor of law.

As a faculty member, he teaches insurance law, contracts, and he teaches in the medical school as well. He's going to be talking about an evening program that is somewhat in transition—that is changing, shifting. So he will talk about the restructuring of a program that has been in existence for some time and that is looking to recreate itself in a slightly different form.

And finally on the panel is an old friend of mine, Dean Shelley Broderick of the UDC School of Law, a graduate of Georgetown Law School. Shelley Broderick is noted for many, many things in Washington. A very successful and much beloved clinical teacher at Antioch—the prior institution before UDC—she has shepherded UDC through a complex accreditation process and has done many other things in representing disempowered clients and disempowered students. Most recently, she won the Deborah L. Rhode Award from the Association of American Law Schools for public service, which she's been doing all of her life.

Shelley is on the panel because UDC is about to begin an evening program. She is going last because we hope that she will not only talk

about what UDC is doing, but also what she has learned from the prior two speakers. So we have on this panel long and established, older and changing, and completely new, representing past, present, and future forms of legal education in evening or part-time formats. Without further ado, Dean Mitchell Bailin.